

DNRC REPORT TO EQC HB22 ADJUDICATION PROGRESS

June 28, 2007

Claims Examination Progress

- First benchmark: 8,000 claims by 12-31-2006
 - **Second benchmark: 19,000 claims by 12-31-2008**

 - Current Claims examined: **18,689** thru **May 30, 2007**
 - Current Claims examined by Purpose
 - o Irrigation 3,960 21%
 - o Stock 11,362 60%
 - o Domestic 2,019 11%
 - o Other 1,348 8%
- 18,689**

Claims remaining to be examined **38,311**

Total Claims examined based on original remaining 57,000 claims

$(57,000 - 38,311) = *18,689$

**1470 claims were examined prior to enactment of HB22*

Summary Reports to the Water Court

- Union Creek Summary Report sent May 19, 2005
- Teton Summary Report was sent August 15, 2005
- Big Hole River Summary Report was sent October 31, 2006

Decrees

- Teton Basin Decree - Water Court issued on December 29, 2005
 - o 2,500 claim files
- Union Creek Decree - Water Court Issued on March 10, 2006
 - o 42 claim files in Certified Case
- **Big Hole River Decree – Water Court issued on April 6, 2007**
 - o **3892 claim files**
- These decrees and claim records are scanned and viewable on the DNRC website

Basin Status

<u>Active Basins</u>	<u>Estimated Completion</u>
-Lower Tongue R (42C)	Summary report preparation July 2007
-Missouri R to Sun R (41QJ)	Summary report preparation July 2007
-Smith River (41J)	Summary report preparation Aug 2007
-Blackfoot River (76F)	Summary report preparation Aug 2007
-Two Medicine (41M)	Summary report preparation June 2008
-Beaver Creek trib to Milk R (40M)	Summary report preparation June 2008
-Pryor Creek (43E)	Summary report preparation July 2008
-Little Big Horn River (43O)	Summary prep pending July 2009
-Big Horn R below Greybull R (43P)	Summary prep pending July 2009
-St. Mary River (40T)	Summary prep pending July 2009

Updated information in bold.

-Milk River above Fresno (40F)	Summary prep pending	July	2009
-Peoples Creek (40I)	Summary prep pending	July	2009
-Milk River between Fresno & Whitewater (40J)	Summary prep pending	July	2009
-Beaver Creek (40M)	Summary prep pending	July	2009
-Cut Bank River (41L)	Summary prep pending	July	2009
-Two Medicine River (41M)	Summary prep pending	July	2009
-Upper Tongue R (42B)	Examination in progress	Aug	2007
-Jocko River only (76L)	Examination in progress	Dec	2007
-Flatwillow Creek (40B)	Examination in progress	July	2008
-Rosebud Creek (42A)	Examination in progress	July	2009
-Missouri R to Marias (41Q)	Examination in progress	July	2009
-Big Muddy Creek (40R)	Examination in progress	July	2009
-Beaverhead River (41B)	Examination in progress	July	2009
-Red Rock River (41A)	Examination in progress	July	2015
-Flathead River (76LJ)	Examination in progress	July	2015
-Bitterroot R, E side (76HA)	Examination in progress	July	2015
-Marias River (41P)	Examination in progress	July	2015
-Flathead R below Flathead Lake (76L)	Examination in progress	July	2015
-Missouri River (41T) from Marias to Bullwacker	To be Examined	July	2012
-Shoshone River (43N)	To be Examined	July	2012
-Missouri River (40EJ) between Bullwacker & Musselshell	To be Examined	July	2015
-Arrow Creek (41R)	To be Examined	July	2015
-Yellowstone River (42M) below Powder River	To be Examined	July	2015

District Court Enforcement Actions

- Completed water court assistance producing water commissioner indexes
 - o 2005 on 23 streams
 - o 2006 on 23 streams
 - o **2007 on 26 streams**
- **Water Right Database Automated indexes are now in use**

Expenses

FY06: Operating costs	\$ 639,320
Personnel services	<u>\$1,382,274</u>
Expenditures	\$2,021,595
Budget	\$2,037,740
FY07: Operating Costs	\$212,042
Personnel services	<u>\$1,513,704</u>
Expenditures	\$1,725,746
Budget	\$2,106,845

Adjudication Fee

- 108,000 bills mailed Dec. 27, 2005
- 18,552 2nd bills mailed March 1, 2006
- Estimated revenue generated \$6.2 million
- Revenue received to date: \$5.067 million representing **93,737** invoices paid

Appeals

- 4,997 Appeals received to date
 - o 3,076 appeals based on ownership;
 - o 1,911 appeals based on fee calculation
- **652 appeals have been resolved to date**
 - o **36 denied**
 - o **616 resolved with fee correction**
- **Remaining 4345 appeals to be resolved by Nov. 2008**
- **Collections: Meeting to be scheduled with DOR Collections by Aug. 2007**

Ownership Records / Forms Received

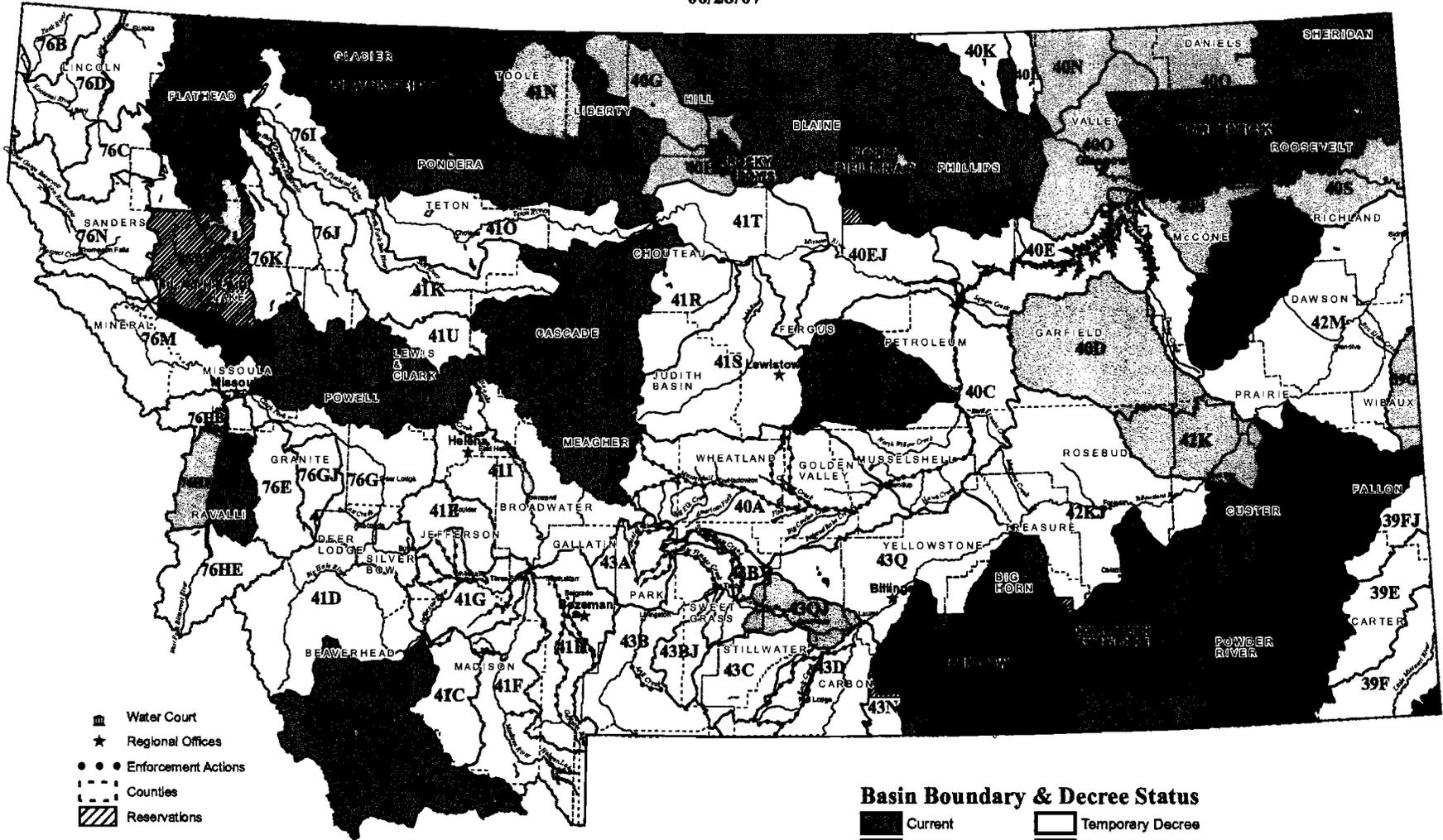
- **90,990** addresses corrected and/or added, though ownership updates (Form 608) since July, 2005
- **16,426** work hrs. dedicated to owner/address cleanup since July 2005
- **HB 39 Automate Ownership Updates effective July 1, 2008**
 - o **Redesign of DOR Realty Transfer Certificate, water right disclosure section in July 2007**
 - o **Purchase software for matching property geocodes with water right parcels in July. Match and upload geocodes to water right database by Dec 2007.**
 - o **DOR Orion property records system updated with water right fields by Jan 2008**
 - o **Public and realty industry education on HB 39 and new process Aug 2007 thru June 2008**

Database Progress

- **Moved Water Right Database to ITSD in May 2007.**
- **Final contract in progress for development of Reserved Water Right Compact water right records, automating annual reporting and implementing subordination provisions. Completion date - November 2007.**

Basin Location and Adjudication Status

06/28/07



- Water Court
- Regional Offices
- Enforcement Actions
- Counties
- Reservations

- Basin Boundary & Decree Status**
- Current
 - Not Yet Examined
 - Preliminary Decree
 - Temporary Decree
 - Final Decree